

September 10, 2010

REMARKS

In the Office Action, the Office indicated that claims 1, 4, 7-11, and 14 are pending in the application and the Office rejected all claims.

Rejections under 35 U.S.C. §§102 and 103

On page 3 of the Office Action, the Office rejected claims 1, 4, and 11 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0076842 to Johansson et al.

On page 6 of the Office Action, the Office rejected claims 7 and 14 under 35 U.S.C. §103(a) as being unpatentable over Johansson and further in view of U.S. Patent No. 6,856,804 to Ciotta. On page 7 of the Office Action, the Office rejected claims 8-10 under 35 U.S.C. §103(a) as being unpatentable over Johansson and further in view of U.S. Patent Application Publication No. 2002/0025823 to Hara.

The §102 Rejection

Claims 1, 4, and 11 were rejected under 35 U.S.C. 102(e) as being anticipated by Johansson et al. (US 2003/0076842). Applicant traverses this rejection.

Johansson et al. does not disclose that a communication controller includes a determination unit and stops outputting a signal when the determination unit determines that a portable device is in the disablement mode based on recognition information provided from a recognition information providing device, nor that the recognition information providing device

September 10, 2010

provides the determination unit with a disablement mode signal when a disablement mode is selected by a selection device and a receiving circuit receives a request signal from the communication controller in a predetermined range that is capable of wireless communication, as recited in claim 1. Furthermore, Johansson et al. does not disclose the communication controller disabling automatic communication of the communication controller relative to the portable device and stopping the outputting of a signal from the communication controller when the communication controller determines that the portable device is in the disablement mode based on the recognition information transmitted from the portable device, and transmitting a disablement mode signal from the portable device to the communication controller when a disablement mode is selected and the receiving circuit receives a request signal from the communication controller in a predetermined range that is capable of wireless communication or when the receiving circuit does not receive a request signal outside the range within a predetermined time in a communication mode, as recited in claim 11.

The Examiner states that:

"Johansson discloses in paragraph 51 that a standby mode is entered when a Bluetooth device is not logically connected to any other Bluetooth device, i.e., is not part of any piconet; Johansson next discloses in paragraph 52 that the master always knows when it can poll a slave only when the slave is in a piconet. Therefore, if a PDA device is not part of a piconet and in the standby mode, the master will not be able to poll the PDA device." (see page 2, Response to Arguments)

However, in Johansson, the master always attempts to poll a slave regardless of the mode of the slave. That is, the master *always* sends a signal to the slave to receive a return signal from the slave, even in a standby mode. Furthermore, Johansson does not disclose that the master sends a

September 10, 2010

disablement mode signal to the slave in a condition when a disablement mode is selected by the selection device and the receiving circuit receives a request signal from the communication controller in a predetermined range that is capable of wireless communication. Accordingly, since these elements are expressly claimed and are neither taught nor suggested by Johansson, applicant believes that the invention of claims 1, 4, and 11 distinguishes over Johansson et al.

The §103 Rejections

Claims 7 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson as applied to claims 1 and 11 above, and further in view of Ciotta (US 6,856,804). Applicant traverses this rejection.

Like Johansson, Ciotta neither teaches nor suggests the claimed elements that, as described above, are not taught or suggested by Johansson. Since Ciotta also does not disclose the above feature of the present invention of claims 1 and 11, and since claims 7 and 14 depend from claims 1 and 11, respectively, those claims are patentable for at least the same reasons that claims 1 and 11 are patentable.

Claims 8-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson as applied to claim 1 above, and further in view of Hara (US 2002/0025823). Applicant traverses this rejection.

Like Johansson, Hara neither teaches nor suggests the claimed elements that, as described above, are not taught or suggested by Johansson. Since Hara also does not disclose the above feature

September 10, 2010

of the present invention of claim 1 and claims 8-10 directly or indirectly depend from claim 1, those claims are patentable for at least the same reasons that claim 1 is patentable.

Conclusion

The present invention is not taught or suggested by the prior art. Accordingly, the Office is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge the RCE filing fee, and any additional fees associated with this communication to Deposit Account No. 50-4364.

Respectfully submitted

September 10, 2010

/Mark D. Simpson/

Mark D. Simpson, Esquire
Registration No. 32,942

SAUL EWING LLP
Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102-2189
Telephone: 215 972 7880
Facsimile: 215 972 4169
Email: MSimpson@saul.com